

MICHAEL A. JACOBS (CA SBN 111664)
MJacobs@mofo.com
ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Tel: 415.268.7000 / Fax: 415.268.7522

KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsflp.com
HAMISH P. M. HUME
hhume@bsflp.com
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington, D.C. 20005
Tel: 202.237.2727 / Fax: 202.237.6131

WILLIAM CARMODY (*Pro Hac Vice*)
bcarmody@susmangodfrey.com
SUSMAN GODFREY LLP
1301 Avenue of the Americas, 32nd Floor
New York, NY 10019-6023
Tel.: 212.336.8330 / Fax.: 212.336.8340

Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MELISSA FELDER
ZAPPALA IN SUPPORT OF
SUPPLEMENTAL BRIEF ON
DEFENDANTS UBER TECHNOLOGIES,
INC.'S AND OTTOMOTTO LLC'S
MOTION TO EXCLUDE ONE OF THREE
OPINIONS PROFFERED BY WAYMO
EXPERT JIM TIMMINS [DKT. 1612]**

Judge: Hon. William H. Alsup
Trial Date: October 10, 2017

REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

1 I, Melissa Felder Zappala, declare as follows:

2 1. I am a partner at the law firm Boies Schiller Flexner LLP representing Defendants Uber
3 Technologies Inc. and Ottomotto LLC (collectively, “Uber”) in this matter. I am a member in good
4 standing of the Bar of the District of Columbia. I make this declaration in support of Uber’s Motion to
5 Exclude One of Three Opinions Proffered by Waymo Expert Jim Timmins. I make this declaration
6 based on personal knowledge and if called as a witness, I could and would competently testify to the
7 matters set forth herein.

8 2. Attached as **Exhibit 1** is a true and correct copy of excerpts of the August 24, 2017
9 Opening Expert Report of Jim Timmins.

10 3. Attached as **Exhibit 2** is a true and correct copy of excerpts of the deposition transcript of
11 Jim Timmins, dated September 26, 2017.

12 4. Attached as **Exhibit 3** is a true and correct copy of a document produced by [REDACTED]
13 [REDACTED] in this action bearing the Bates numbers [REDACTED] Blattmachr000001
14 through [REDACTED] Blattmachr000026.

15 5. Attached as **Exhibit 4** is a true and correct copy of a document produced by Cybel LLC
16 in this action bearing the Bates numbers SANDSTONE 000001 through SANDSTONE 000007.

17 6. Attached as **Exhibit 5** is a true and correct copy of excerpts of the deposition transcript of
18 Ognen Stojanovski, dated July 20, 2017.

19 7. Attached as **Exhibit 6** is a true and correct copy of a document produced by Uber in this
20 action bearing the Bates numbers UBER00047857 through UBER00047861.

21 8. Attached as **Exhibit 7** is a true and correct copy of excerpts of the deposition transcript of
22 James Haslim, dated August 9, 2017.

23 9. Attached as **Exhibit 8** is a true and correct copy of excerpts of the deposition transcript of
24 James Haslim, dated April 18, 2017.

25 10. Attached as **Exhibit 9** is a true and correct copy of excerpts of the deposition transcript of
26 James Haslim, dated May 4, 2017.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is true
2 and correct. Executed this 28th day of September, 2017, in San Francisco, California.

3
4 /s/ Melissa Felder Zappala
5 Melissa Felder Zappala

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7 **ATTESTATION OF E-FILED SIGNATURE**

8 I, Karen L. Dunn, am the ECF User whose ID and password are being used to file this
9 Declaration. In compliance with General Order 45, X.B., I hereby attest that Melissa Felder Zappala has
10 concurred in this filing.

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12 /s/ Karen L. Dunn
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